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| K&L Gates LLP     |             |                      | STACE, BRENT S      |                  |
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                                      |                                       |  |
|------------------------------|--------------------------------------|---------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/629,680 | <b>Applicant(s)</b><br>HAMMOND ET AL. |  |
|                              | <b>Examiner</b><br>BRENT STACE       | <b>Art Unit</b><br>2161               |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 November 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 30-81 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 30-81 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 January 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)         | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Remarks*

1. This communication is responsive to the amendment filed November 5<sup>th</sup>, 2009. Claims 1-9 and 30-81 are pending. In the amendment filed November 5<sup>th</sup>, 2009, Claims 1, 6, 9, 55, 64, and 73 are amended, Claims 10-29 are canceled, and Claims 1, 6, 9, 55, 64, and 73 are independent. This action is made FINAL.

### *Response to Arguments*

2. The Applicant's arguments filed November 5<sup>th</sup>, 2009 with respect to Claims 1-9 and 30-81 have been considered but are moot in view of the new ground(s) of rejection.
3. As to the applicant's arguments with respect to Claims 1-9 and 30-81 for the prior art(s) allegedly not teaching **"determining a first representative stylistic attribute value of the first plurality of text items based on a first frequency of occurrence of the stylistic attribute in the first active computer task [and] determining a second representative stylistic attribute value of the second plurality of text items based on a second representative stylistic attribute value being different that the first representative stylistic attribute value,"** the examiner respectfully submits that this argument is moot in view of the new ground(s) of rejection below using Shimizu.
4. Applicant states that the amendment to the claims has the representative stylistic attribute values changing based on content of the plurality of text items which is different

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from Fujiwara's "**specific value**." The examiner respectfully submits that this argument is moot in view of the new ground(s) of rejection below using Shimizu.

5. The other claims argued merely because of a dependency on a previously argued claim(s) in the arguments presented to the examiner, filed November 5<sup>th</sup>, 2009, are moot in view of the examiner's interpretation of the claims and art and are still considered rejected based on their respective rejections from at least a prior Office action (part(s) of recited again below).

### ***Response to Amendment***

#### ***Claim Objections***

6. In light of the applicant's respective arguments or respective amendments, the previous claim objections to the claims have been withdrawn.

#### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation

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under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9. Claims 1-3, 5-9, 30-37, 39, 40, 42, 43, 45, 46, 48, 49, 51, 52, 54, 55, 57, 60, 61, 63, 64, 66, 69, 70, 72, 73, 75, 78, 79, and 81 are rejected under 35 U.S.C. 103(a) as being unpatentable over “User Interactions with Everyday Applications as Context for Just-in-time Information Access” (Budzik et al.) (in an Applicant’s IDS) in view of U.S. Patent No. 5,821,929 (Shimizu et al.).

For **Claim 1**, Budzik teaches: “An adaptive method for obtaining representative text items from a plurality of text items in active computer tasks, [Budzik, p. 3, section 3 and section 4, at least figure 1 shows obtaining content text from documents via IMAs (application adapters) per application] the method comprising:

- receiving first information indicative of a first active computer task, the first information including a first plurality of text items [Budzik, p. 3, section 4, use of an application adapter sending document content is information indicative of a computer task including text items (e.g. MS Word (Budzik, p. 4, col. 2))] and a stylistic attribute associated with a first text item in the first plurality of text items; [Budzik, p. 4, section 4.1, each word is emphasized, de-emphasized, list, etc.]
- ...ranking the first plurality of text items based on the first weight assigned to each of the first plurality of text items to produce a first plurality of ranked text

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items; [Budzik, p. 4, col. 2, section 4.1, term weighting algorithm (Fig. 4) where top 20 terms are used to form query]

- generating and storing first representative text items based on the first plurality of ranked text items; [Budzik, p. 3, section 3 with Budzik, pgs. 4-5, section 4.2 with Budzik, p. 4, col. 2, section 4.1 top 20 terms (weighted as being representative of the document) are used to form query. This 20 term list is known to a computer (computer exemplified in Budzik, Fig. 2), thus it requires storage and generation]
- wherein the first active computer task is a task other than entering search terms for the purpose of retrieving information” [Budzik, p. 3, section 3, IMAs interfacing with applications (e.g. MS Word (Budzik, p. 4, col. 2)) gathering text content from documents]
- receiving second information indicative of a second active computer task, the second information including a second plurality of text items [Budzik, p. 3, section 4, use application adapters sending document content is information indicative of a computer task including text items (e.g. MS Word (Budzik, p. 4, col. 2))] and the stylistic attribute associated with a second text item in the second plurality of text items; [Budzik, p. 4, section 4.1, each word is emphasized, de-emphasized, list, etc.]
- ...the second magnitude being different than the first magnitude; [Budzik, p. 4, col. 2, section 4.1, each of the application adapters sends a different typed message for whatever document/program they are accessing. This will provide different magnitudes for words]

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- ranking the second plurality of text items based on the second weight assigned to each of the second plurality of text items to produce a second plurality of ranked text items; [Budzik, p. 4, col. 2, section 4.1, Budzik, p. 4, col. 2, section 4.1, term weighting algorithm (Fig. 4) where top 20 terms are used to form query] and
- generating and storing second representative text items based on the second plurality of ranked text items; [Budzik, p. 3, section 3 with Budzik, pgs. 4-5, section 4.2 with Budzik, p. 4, col. 2, section 4.1 top 20 terms (weighted as being representative of the document) are used to form query. This 20 term list is known to a computer (computer exemplified in Budzik, Fig. 2), thus it requires storage and generation]
- wherein the second active computer task is a task other than entering search terms for the purposed of retrieving information” [Budzik, p. 3, section 3, Budzik, p. 3, section 3, IMAs interfacing with applications (e.g. MS Word (Budzik, p. 4, col. 2)) gathering text content from documents].

Budzik discloses the above limitations but does not explicitly teach:

- “...determining a first[(/second)] representative stylistic attribute value of the first[(/second)] plurality of text items based on a first[(/second)] frequency of occurrence of the stylistic attribute in the first[(/second)] active computer task, the second representative stylistic attribute value being different than the first representative stylistic attribute value;

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- for each of the first plurality of text items, assigning a first weight with a first magnitude that is determined based on the first representative stylistic attribute.”

With respect to Claim 1, an analogous art, Shimizu, teaches:

- “...determining a first representative stylistic attribute value of the first plurality of text items based on a first frequency of occurrence of the stylistic attribute in the first active computer task [Shimizu, col. 17, lines 16-36, calculating the frequency of appearance (occurrence) for each character (font) size and determining a reference character size based on the input document] the second representative stylistic attribute value being different than the first representative stylistic attribute value;” [Shimizu, col. 17, lines 16-36, large character size changes based on content on input document changing the reference character size]
- ...for each of the first plurality of text items, assigning a first weight with a first magnitude that is determined based on the first representative stylistic attribute” [Shimizu, col. 17, lines 16-36 with Budzik, p. 4, section 4.1, calculating the frequency of appearance (occurrence) for each character (font) size where Budzik assigns a weight with a magnitude determined by the fact that a font size is small (for instance). Budzik is able to determine small font in relation to other font sizes by using Shimizu (e.g. Shimizu, Fig. 17)].



It would have been obvious to one of ordinary skill in the art at the time of invention having the teachings of Shimizu and Budzik before him/her to combine Shimizu with Budzik because both inventions are directed towards document analysis.

Shimizu's invention would have been expected to successfully work well with Budzik's invention because both inventions use computers to analyze document text. Budzik discloses information access in context (title) comprising analyzing a document to find emphasized words, weight these words, then use them to form a query to find more information. However, Budzik does not expressly disclose finding a frequency of occurrence of the stylistic attribute in the document. Shimizu discloses an image processing method and apparatus (title) comprising calculating the frequency of appearance (occurrence) for each font size in a document to determine emphasized sections of the document (e.g. headlines and body text).

It would have been obvious to one of ordinary skill in the art at the time of invention having the teachings of Shimizu and Budzik before him/her to take the frequency of appearance/occurrence of a text size from Shimizu and install it into the teachings of Budzik, thereby offering the obvious advantage of using this information to easily find the different sections/headings/headlines in Budzik (Shimizu, col. 17, lines 7-12).

**Claim 2** can be mapped to Budzik (as modified by Shimizu) as follows: "The method of claim 1, wherein the stylistic attribute includes at least one of the font style, line height, font size and associated hyperlink" [Budzik, p. 4, section 4.1, heuristics 5 and 7 with Shimizu, col. 17, lines 16-36].

**Claim 3** can be mapped to Budzik (as modified by Shimizu) as follows: “The method of claim 2, wherein the first weight assigned to at least one of the first plurality of text items is increased in response to the text item being located in a specific region of the first active computer task” [Budzik, p. 4, section 4.1, heuristics 3-4, titles, sections, beginning of document].

**Claim 5** can be mapped to Budzik (as modified by Shimizu) as follows: “The method of claim 1, further comprising forming a plurality of search terms based on the first plurality of ranked text items” [Budzik, p. 4, col. 2, section 4.1, top 20 terms used to form query].

**Claim 6** encompasses substantially the same scope of the invention as that of Claim 1, in addition to a system and some elements for performing the method steps of Claim 1. Therefore, Claim 6 is rejected for the same reasons as stated above with respect to Claim 1. Additionally, Claim 6 recites some elements not found in Claim 1, but can still be mapped to the same reference(s) as used in Claim 1 as shown below.

- “a data processor for processing data; [Budzik, p. 1 with Budzik, p. 3, Budzik exemplifies the use of a computer which includes a data processor that, especially in Budzik, processes data]
- a data storage device for storing instructions; [Budzik, p. 1 with Budzik, p. 3, Budzik exemplifies the use of a computer which includes a data storage device] and
- a data transmission path coupled to the data processor and the data storage device; [Budzik, p. 1 with Budzik, p. 3, Budzik exemplifies the use of a computer

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which includes a data transmission path coupled to the processor and data storage device]

- wherein the instructions, when executed by the data processor, controls the data processing system to perform the machine-implemented steps of” [Budzik, p. 1 with Budzik, p. 3, Budzik exemplifies the use of a computer which executes instructions given to it].

**Claims 7 and 8** encompass substantially the same scope of the invention as that of Claims 2 and 5, respectfully, in addition to a system and some elements for performing the method steps of Claims 2 and 5, respectfully. Therefore, Claims 7 and 8 are rejected for the same reasons as stated above with respect to Claims 2 and 5, respectfully.

**Claim 9** encompasses substantially the same scope of the invention as that of Claim 1, in addition to a medium and some instructions for performing the method steps of Claim 1. Therefore, Claim 9 is rejected for the same reasons as stated above with respect to Claim 1.

**Claim 30** can be mapped to Budzik (as modified by Shimizu) as follows: “The method of claim 1 further including the step of determining properties of the first active computer task;

- wherein the first weight is tunable based on the properties of the first active computer task.” [Budzik, p. 4, section 4.1, whether or not the first computer task is active would change the weight, also, maxCount (a property) can modify the weights as seen in Fig. 3/4 (note that Fig. 3 and 4 are the same Fig. in Budzik)].

**Claim 31** can be mapped to Budzik (as modified by Shimizu) as follows: “The method of claim 30, wherein the properties of the first active computer task include at least one of application software being employed to perform the first active computer task, a type of the first active computer task, a genre of the first active computer task, attributes associated with a user manipulating the first active computer task, properties of an information source of which a search will be conducted, and a state of the first active computer task” [Budzik, p. 3, Budzik obtains document content from open documents (using the application the document is associated with). Thus, if the application is not open/executing, no content will be obtained. Thus the state of the first action computer task (executing or not) is considered a property of the first active computer task].

**Claims 32 and 33** encompass substantially the same scope of the invention as that of Claims 30 and 31, respectfully, in addition to a system and some elements for performing the method steps of Claims 30 and 31, respectfully. Therefore, Claims 32 and 33 are rejected for the same reasons as stated above with respect to Claims 30 and 31, respectfully.

**Claims 34 and 35** encompass substantially the same scope of the invention as that of Claims 30 and 31, respectfully, in addition to a medium and some instructions for performing the method steps of Claims 30 and 31, respectfully. Therefore, Claims 34 and 35 are rejected for the same reasons as stated above with respect to Claims 30 and 31, respectfully.

**Claim 36** encompasses substantially the same scope of the invention as that of Claim 2, in addition to a method and some steps for performing the method steps of Claim 2. Therefore, Claim 36 is rejected for the same reasons as stated above with respect to Claim 2.

**Claim 37** can be mapped to Budzik (as modified by Shimizu) as follows: “The method of claim 1, wherein the stylistic attribute includes at least one of a list element, a heading, a table heading, a table cell, a navigation bar, a menu, a header, and a footer” [Shimizu, col. 17, lines 16-36, example document with headings in Shimizu, Fig. 10 with Budzik, p. 4, col. 1, section 4.1, heuristic 6 describes list elements].

**Claim 39** can be mapped to Budzik (as modified by Shimizu) as follows: “The method of claim 1, wherein assigning the first weight is based on at least one of a document genre, a document type, and a document subject matter” [Budzik, p. 4, section 4.1, heuristic 2, assigning weight to frequently used word is assigning weight based on document content/subject matter].

**Claim 40** can be mapped to Budzik (as modified by Shimizu) as follows: “The method of claim 1, wherein assigning the first weight is based on at least one of a genre of the first active computer task, a type of the first active computer task, and a subject matter of the first active computer task” [Budzik, p. 4, section 4.1, specifically, heuristic 2, assigning weight to frequently used word in a word document open in MS Word (Budzik, p. 4, col. 2) is assigning weight based on content/subject matter of word (using the MS Word document)].

**Claim 42** can be mapped to Budzik (as modified by Shimizu) as follows: “The method of claim 1, wherein assigning the first weight is based on a location of a document associated with the first active computer task, the location being determined by at least one of an associated URL, a file name, a directory name, and a string indicative of file location” [Budzik, p. 4, section 4.1, heuristic 7, words are ignored (weighted differently) if they occur in navigation bar of a web page].

**Claims 43, 45, 46, and 48** encompass substantially the same scope of the invention as that of Claims 37, 39, 40, and 42, respectfully, in addition to a system and some elements for performing the method steps of Claims 37, 39, 40, and 42, respectfully. Therefore, Claims 43, 45, 46, and 48 are rejected for the same reasons as stated above with respect to Claims 37, 39, 40, and 42, respectfully.

**Claims 49, 51, 52, and 54** encompass substantially the same scope of the invention as that of Claims 37, 39, 40, and 42, respectfully, in addition to a medium and some instructions for performing the method steps of Claims 37, 39, 40, and 42, respectfully. Therefore, Claims 49, 51, 52, and 54 are rejected for the same reasons as stated above with respect to Claims 37, 39, 40, and 42, respectfully.

**Claim 55** encompasses substantially the same scope of the invention as that of Claim 1, in addition to a method and some steps for performing the method steps of Claim 1. Therefore, Claim 55 is rejected for the same reasons as stated above with respect to Claim 1 (where the field attribute is equivalent to the stylistic attribute).

**Claim 57** can be mapped to Budzik (as modified by Shimizu) as follows: “The method of claim 55, wherein the field attribute includes a web page address field” [Budzik, p. 4, section 4.1, heuristic 7, words occurring in navigation bar of a web page].

**Claims 60, 61, and 63** encompass substantially the same scope of the invention as that of Claims 39, 40, and 42, respectfully, in addition to a method and some steps for performing the method steps of Claims 39, 40, and 42, respectfully. Therefore, Claims 60, 61, and 63 are rejected for the same reasons as stated above with respect to Claims 39, 40, and 42, respectfully.

**Claim 64** encompasses substantially the same scope of the invention as that of Claim 1, in addition to a system and some elements for performing the method steps of Claim 1. Therefore, Claim 64 is rejected for the same reasons as stated above with respect to Claim 1 (where the field attribute is equivalent to the stylistic attribute and using the additional mappings shown in the rejection to Claim 6).

**Claim 66** encompasses substantially the same scope of the invention as that of Claim 57, in addition to a system and some elements for performing the method steps of Claim 57. Therefore, Claims 66 is rejected for the same reasons as stated above with respect to Claim 57.

**Claims 69, 70, and 72** encompass substantially the same scope of the invention as that of Claims 39, 40, and 42, respectfully, in addition to a system and some elements for performing the method steps of Claims 39, 40, and 42, respectfully. Therefore, Claims 69, 70, and 72 are rejected for the same reasons as stated above with respect to Claims 39, 40, and 42, respectfully.

**Claim 73** encompasses substantially the same scope of the invention as that of Claim 1, in addition to a medium and some instructions for performing the method steps of Claim 1. Therefore, Claim 73 is rejected for the same reasons as stated above with respect to Claim 1 (where the field attribute is equivalent to the stylistic attribute).

**Claim 75** encompasses substantially the same scope of the invention as that of Claim 57, in addition to a medium and some instructions for performing the method steps of Claim 57. Therefore, Claim 75 is rejected for the same reasons as stated above with respect to Claim 57.

**Claims 78, 79, and 81** encompass substantially the same scope of the invention as that of Claims 39, 40, and 42, respectfully, in addition to a medium and some instructions for performing the method steps of Claims 39, 40, and 42, respectfully. Therefore, Claims 78, 79, and 81 are rejected for the same reasons as stated above with respect to Claims 39, 40, and 42, respectfully.

10. Claims 4, 59, 68, and 77 are rejected under 35 U.S.C. 103(a) as being unpatentable over “User Interactions with Everyday Applications as Context for Just-in-time Information Access” (Budzik et al.) (in an Applicant’s IDS) in view of U.S. Patent No. 5,821,929 (Shimizu et al.), further in view of “SUITOR: An Attentive Information System” (Maglio et al.) (in an Applicant’s IDS).

For **Claim 4**, Budzik (as modified by Shimizu) teaches: “The method of claim 3.”



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Budzik (as modified by Shimizu) discloses the above limitation but does not expressly teach: "...wherein the specific region is a region of the first active computer task that is selected by a user."

With respect to Claim 4, an analogous art, Maglio, teaches: "...wherein the specific region is a region of the first active computer task that is selected by a user" [Maglio, p. 170, col. 1, section 1, eye-gaze determining what the user is reading (this is a region of content in the first computer task automatically selected by a user)].

It would have been obvious to one of ordinary skill in the art at the time of invention having the teachings of Maglio and Budzik (as modified by Shimizu) before him/her to combine Maglio with Budzik (as modified by Shimizu) because both inventions are directed towards observing user actions with information resources, model user information states, and suggest information that might be helpful to users.

Maglio's invention would have been expected to successfully work well with Budzik (as modified by Shimizu)'s invention because both inventions use computers that monitor users. Budzik (as modified by Shimizu) discloses user interactions with everyday applications as context for just-in-time information access (title) comprising monitoring documents of, for example, text editors, or web pages. However, Budzik (as modified by Shimizu) does not expressly disclose specific region is a region of the first active computer task that is selected by a user. Maglio discloses suitor: an attentive information system (title) comprising a means to monitor the user's eye-gaze to determine where on the screen the user is reading (this determines a specific region of the active computer task that is selected by the user (via eye-gazing)).

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It would have been obvious to one of ordinary skill in the art at the time of invention having the teachings of Maglio and Budzik (as modified by Shimizu) before him/her to take the eye-gazing from Maglio and install it into the teachings of Budzik (as modified by Shimizu), thereby offering the obvious advantage of determining where on the screen the user is actually reading, thereby extracting and disambiguating meaningful information (demonstrated in Maglio, p. 171, col. 1).

For **Claim 59**, Budzik (as modified by Shimizu) teaches: “The method of claim 55.”

Budzik (as modified by Shimizu) discloses the above limitation but does not expressly teach: “...wherein the field attribute includes a product name.”

With respect to Claim 59, an analogous art, Maglio, teaches: “...wherein the field attribute includes a product name” [Maglio, pgs. 170-171, cols. 2-1, hard-drive is product name].

It would have been obvious to one of ordinary skill in the art at the time of invention having the teachings of Maglio and Budzik (as modified by Shimizu) before him/her to combine Maglio with Budzik (as modified by Shimizu) because both inventions are directed towards observing user actions with information resources, model user information states, and suggest information that might be helpful to users.

Maglio's invention would have been expected to successfully work well with Budzik (as modified by Shimizu)'s invention because both inventions use computers that monitor users. Budzik (as modified by Shimizu) discloses user interactions with everyday applications as context for just-in-time information access (title) comprising

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monitoring documents of, for example, text editors, or web pages. However, Budzik (as modified by Shimizu) does not expressly disclose analyzing text for product name(s).

Maglio discloses a suitor: an attentive information system (title) comprising finding product name(s).

It would have been obvious to one of ordinary skill in the art at the time of invention having the teachings of Maglio and Budzik (as modified by Shimizu) before him/her to take the product name discoveries from Maglio and install it into the teachings of Budzik (as modified by Shimizu), thereby offering the obvious advantage of displaying context-based search results related to the product name(s) to satisfy information needs (Maglio, abst).

**Claim 68** encompasses substantially the same scope of the invention as that of Claim 59, in addition to a system and some elements for performing the method steps of Claim 59. Therefore, Claims 68 is rejected for the same reasons as stated above with respect to Claim 59.

**Claim 77** encompasses substantially the same scope of the invention as that of Claim 59, in addition to a medium and some instructions for performing the method steps of Claim 59. Therefore, Claim 77 is rejected for the same reasons as stated above with respect to Claim 59.

11. Claims 38, 44, and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over “User Interactions with Everyday Applications as Context for Just-in-time Information Access” (Budzik et al.) (in an Applicant’s IDS) in view of U.S. Patent

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No. 5,821,929 (Shimizu et al.), further in view of “Query-Free News Search” (Henzinger et al.) (in an Applicant’s IDS).

For **Claim 38**, Budzik (as modified by Shimizu) teaches: “The method of claim 1, wherein the stylistic attribute.”

Budzik (as modified by Shimizu) discloses the above limitation but does not expressly teach: “...includes a size of a bounding rectangle.”

With respect to Claim 38, an analogous art, Henzinger, teaches: “...includes a size of a bounding rectangle” [Henzinger, p. 1, section 1, closed include a size of a bounding rectangle].

It would have been obvious to one of ordinary skill in the art at the time of invention having the teachings of Henzinger and Budzik (as modified by Shimizu) before him/her to combine Henzinger with Budzik (as modified by Shimizu) because both inventions are directed towards making suggestions from examining text.

Henzinger’s invention would have been expected to successfully work well with Budzik (as modified by Shimizu)’s invention because both inventions query resources based on examined text and display the result(s) to the user. Budzik (as modified by Shimizu) discloses user interactions with everyday applications as context for just-in-time information access (title) comprising analyzing text from, for example, web pages and text editors. However, Budzik (as modified by Shimizu) does not expressly disclose a size of a bounding rectangle. Henzinger discloses a query-free news search (title) comprising extracting queries from closed captions (which include a size of a bounding rectangle).

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It would have been obvious to one of ordinary skill in the art at the time of invention having the teachings of Henzinger and Budzik (as modified by Shimizu) before him/her to take the extracting of queries from closed captions from Henzinger and install it into the teachings of Budzik (as modified by Shimizu), thereby offering the obvious advantage of being able to show articles related based on any incoming text (and in a TV setting, being able to show related articles of a TV program, Henzinger, p. 8, section 4.1).

**Claims 44 and 50** encompass substantially the same scope of the invention as that of Claim 38, in addition to a system and some elements or a medium some instructions for performing the method steps of Claim 38. Therefore, Claims 44 and 50 are rejected for the same reasons as stated above with respect to Claim 38.

12. Claims 41, 47, 53, 62, 71, and 80 are rejected under 35 U.S.C. 103(a) as being unpatentable over “User Interactions with Everyday Applications as Context for Just-in-time Information Access” (Budzik et al.) (in an Applicant’s IDS) in view of U.S. Patent No. 5,821,929 (Shimizu et al.), further in view of U.S. Patent No. 7,206,791 (Hind et al.).

For **Claim 41**, Budzik (as modified by Shimizu) teaches: “The method of claim 1, wherein.”

Budzik (as modified by Shimizu) discloses the above limitation but does not expressly teach:

- “...assigning the first weight is based on a user’s role in an organization.”

With respect to Claim 41, an analogous art, Hind, teaches:

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- “...assigning the first weight is based on a user’s role in an organization”

[Hind, col. 12, lines 1-8, searching based on % weighted context. Cited examples include 50%role=manager].

It would have been obvious to one of ordinary skill in the art at the time of invention having the teachings of Hind and Budzik (as modified by Shimizu) before him/her to combine Hind with Budzik (as modified by Shimizu) because both inventions are directed towards assigning weights for search operations.

Hind’s invention would have been expected to successfully work well with Budzik (as modified by Shimizu)’s invention because both inventions use computers searching for data. Budzik (as modified by Shimizu) discloses user interactions with everyday applications as context for just-in-time information access (title) comprising analyzing text from, for example, web pages and text editors. However, Budzik (as modified by Shimizu) does not expressly disclose assigning weight based on a user’s role. Hind discloses a system and method for managing and securing meta data (title) comprising assigning a weight based on a user’s role in an organization.

It would have been obvious to one of ordinary skill in the art at the time of invention having the teachings of Hind and Budzik (as modified by Shimizu) before him/her to take the assigning a weight based on a user’s role in an organization from Hind and install it into the teachings of Budzik (as modified by Shimizu), thereby offering the obvious advantage of determining/formulating search criteria a search to find information (Hind, cols. 11-12, lines 59-8).

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**Claims 47, 53, 62, 71, and 80's** limitation(s) have already been met by Claim 41's limitation(s). Therefore, Claims 47, 53, 62, 71, and 80 are rejected for the same reason(s) as stated above with respect to Claim 41.

13. Claims 56, 58, 65, 67, 74, and 76 are rejected under 35 U.S.C. 103(a) as being unpatentable over "User Interactions with Everyday Applications as Context for Just-in-time Information Access" (Budzik et al.) (in an Applicant's IDS) in view of U.S. Patent No. 5,821,929 (Shimizu et al.), further in view of U.S. Patent No. 6,236,768 (Rhodes et al.) (in an Applicant's IDS).

For **Claim 56**, Budzik (as modified by Shimizu) teaches: "The method of claim 55, wherein the field attribute includes at least one of."

Budzik (as modified by Shimizu) discloses the above limitation but does not expressly teach: "...an email sender field, an email recipient field, a signature field, and a salutation field."

With respect to Claim 56, an analogous art, Rhodes, teaches: "...an email sender field, an email recipient field, a signature field, and a salutation field" [Rhodes, cols. 10-11, lines 51-21, email From field is a sender field].

It would have been obvious to one of ordinary skill in the art at the time of invention having the teachings of Rhodes and Budzik (as modified by Shimizu) before him/her to combine Rhodes with Budzik (as modified by Shimizu) because both inventions are directed towards searching for documents based on context(s).

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Rhodes's invention would have been expected to successfully work well with Budzik (as modified by Shimizu)'s invention because both inventions use databases to search for documents and read/extract information from documents. Budzik (as modified by Shimizu) discloses user interactions with everyday applications as context for just-in-time information access (title) comprising analyzing text from, for example, web pages and text editors. However, Budzik (as modified by Shimizu) does not expressly disclose including at least one of an email sender field, an email recipient field, a signature field, and a salutation field. Rhodes discloses a method and apparatus for automated, context-dependent retrieval of information (title) comprising analyzing at least the from and date fields from emails.

It would have been obvious to one of ordinary skill in the art at the time of invention having the teachings of Rhodes and Budzik (as modified by Shimizu) before him/her to take the email analysis from Rhodes and install it into the teachings of Budzik (as modified by Shimizu), thereby offering the obvious advantage of recognizing email documents as also text files thereby obtaining further context(s) for use in searching.

For **Claim 58**, Budzik (as modified by Shimizu) teaches: "The method of claim 55, wherein the field attribute includes at least one of."

Budzik (as modified by Shimizu) discloses the above limitation but does not expressly teach: "...a document template, a header, a footer, a page number, a title, an author, a byline, and a date published."



With respect to Claim 58, an analogous art, Rhodes, teaches: "...a document template, a header, a footer, a page number, a title, an author, a byline, and a date published" [Rhodes, cols. 10-11, lines 51-21, at least email From field is the author of the email].

It would have been obvious to one of ordinary skill in the art at the time of invention having the teachings of Rhodes and Budzik (as modified by Shimizu) before him/her to combine Rhodes with Budzik (as modified by Shimizu) because both inventions are directed towards searching for documents based on context(s).

Rhodes's invention would have been expected to successfully work well with Budzik (as modified by Shimizu)'s invention because both inventions use databases to search for documents and read/extract information from documents. Budzik (as modified by Shimizu) discloses user interactions with everyday applications as context for just-in-time information access (title) comprising analyzing text from, for example, web pages and text editors. However, Budzik (as modified by Shimizu) does not expressly disclose including at least one of an email sender field, an email recipient field, a signature field, and a salutation field. Rhodes discloses a method and apparatus for automated, context-dependent retrieval of information (title) comprising analyzing at least the from and date fields from emails.

It would have been obvious to one of ordinary skill in the art at the time of invention having the teachings of Rhodes and Budzik (as modified by Shimizu) before him/her to take the email analysis from Rhodes and install it into the teachings of Budzik (as modified by Shimizu), thereby offering the obvious advantage of recognizing

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email documents as also text files thereby obtaining further context(s) for use in searching.

**Claims 65 and 67** encompass substantially the same scope of the invention as that of Claims 56 and 58, respectfully, in addition to a system and some elements for performing the method steps of Claims 56 and 58, respectfully. Therefore, Claims 65 and 67 are rejected for the same reasons as stated above with respect to Claims 56 and 58, respectfully.

**Claims 74 and 76** encompass substantially the same scope of the invention as that of Claims 56 and 58, respectfully, in addition to a medium and some instructions for performing the method steps of Claims 56 and 58, respectfully. Therefore, Claims 74 and 76 are rejected for the same reasons as stated above with respect to Claims 56 and 58, respectfully.

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Conclusion***

15. Any prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is advised that, although not used in the rejections above, prior art cited on any PTO-892 form and not relied upon is considered materially relevant to the applicant's claimed invention and/or portions of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brent S. Stace whose telephone number is 571-272-8372 and fax number is 571-273-8372. The examiner can normally be reached on M-F 9am-5:30pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu M. Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/BRENT STACE/  
Examiner, Art Unit 2161

/Apu M Mofiz/  
Supervisory Patent Examiner, Art Unit 2161